

Siuslaw Valley Fire and Rescue
2625 Highway 101 North, Florence, OR 97439

Minutes of Board Meeting - January 19, 2011

Steve Olienyk, President of the Board, called the meeting to order at 5:31 p.m.

BOARD MEMBERS PRESENT: Directors Steve Olienyk, Bill Mead, John Scott, and Lori Gates were in attendance. Director Rob Ward was absent.

OTHERS PRESENT: Chief John Buchanan, Deputy Chief Marvin Tipler, and Finance Officer Janet Huston were in attendance.

APPROVAL OF MINUTES: Director Scott made a motion to approve the minutes of the board meeting held on December 15, 2010, as corrected. The motion was seconded by Director Gates and was approved by unanimous vote.

COMMUNICATIONS: None

PUBLIC HEARINGS: None

PUBLIC COMMENTS: None

FIRE DISTRICT INCIDENT REPORT: The report reflecting the activity during December, 2010 was reviewed and various incidents were discussed.

FIRE DISTRICT TRAINING REPORT: The report reflecting training in December, 2010 was reviewed.

SAFETY MEETING MINUTES: None

REGULAR AGENDA:

Chief Buchanan provided a brief history of the boats we have had over the years, and indicated that our current boat works well for search and rescue, however, should there be an incident with a fire in the water, we would be unable to fight a marine fire. Chief Buchanan recommended that we purchase a portable fire pump and Class B Foam equipment to carry on our boat, and he indicated that he could purchase these items for just under \$8,000.

After a brief discussion, Director Gates made a motion to authorize Chief Buchanan to purchase a portable fire pump and Class B Foam equipment, not to exceed \$8,000. The motion was seconded by Director Mead and was approved by unanimous vote.

Chief Buchanan informed the Board of Directors that one of our employees now has a domestic partner of the opposite gender and has requested that we provide health insurance coverage for her. Chief Buchanan further indicated that he requested an opinion from our law firm. Ross Williamson stated that we are required by law to provide health coverage for a Domestic Partner of the same sex; however, the law does not require us to provide coverage for domestic partners of the opposite gender. Chief Buchanan stated that we currently provide coverage to

five employees, three of which have families. He also indicated that the cost to cover a domestic partner is approximately \$8,127 per year. Chief Buchanan also indicated that whatever decision the Board makes will become policy and will be applied to all existing employees and any future employees. There followed discussion regarding the request and possible policy changes, which prompted the board members to discuss the cost of our health insurance in general and the need to figure out a way to reduce said costs. After a lengthy discussion, Director Scott made a motion that the decision of whether or not to provide health insurance coverage for domestic partners of the opposite gender be tabled until the appropriate measures are taken to reduce the District's cost to provide coverage. Director Gates seconded the motion and it was approved by unanimous vote.

Regarding the disposal of our surplus breathing air compressor center, Chief Buchanan provided a brief history and stated that he and Deputy Chief Tipler have discussed several different scenarios, with one making the most sense. He proposed that we sell the entire system to Stecher Buss of Central Coast Watersports at a reduced price and with a provision built into the contract to allow us to use it as a back-up should, for some reason, our system fail us. He further indicated that Stecher Buss has been performing our required air quality testing for several years, and he is extremely comfortable with the way in which Stecher maintains his system. Chief Buchanan also stated that the system is worth approximately \$11,000, and if authorized he would negotiate a fair price with Mr. Buss with the understanding that the system would be a 24-hour back-up system. After a brief discussion, Director Gates made a motion authorizing Chief Buchanan to sell the surplus air compressor system to Stecher Buss of Central Coast Watersports at a fair and reduced price. Director Scott seconded the motion and it was approved by unanimous vote.

Chief Buchanan indicated that in order to be compliant with the requirements of FEMA as it relates to the disposal of surplus equipment which had been purchased with funds from the various grants we have been awarded, the attached resolution needs to be adopted.

Director Scott made a motion to read Resolution 2011-01 authorizing Chief Buchanan to surplus, sell, or dispose of property valued at less than \$5,000. Director Gates seconded the motion and it was approved by unanimous vote.

Director Scott made a motion to adopt Resolution 2011-01 authorizing Chief Buchanan to surplus, sell, or dispose of property valued at less than \$5,000. Director Gates seconded the motion and it was approved by unanimous vote.

REVIEW OF THE BILLS:

MOTION: Director Scott made a motion to ratify bills paid during the past month totaling \$541,685.29 and transfers from the Money Market Account to the Checking Account also made during the past month. The motion was seconded by Director Mead and was approved by unanimous vote.

FINANCIAL STATEMENTS: The financial statements were discussed.

FUTURE AGENDA BUSINESS: Board President Olienyk stated that the next regularly scheduled board meeting will be Wednesday, February 16, 2011 at 5:30 p.m.

There being no further business to come before the Board, the meeting was adjourned at 6:41 p.m.

Respectfully submitted,

JANET L. HUSTON
Finance Officer

SIUSLAW VALLEY FIRE AND RESCUE

"Protection with Pride"

Resolution No. 2011-01

Resolution Authorizing the Fire Chief to Surplus, Sell, or Dispose of Property Valued at less than \$5,000.

WHEREAS, the needs and priorities of Siuslaw Valley Fire and Rescue ("District") are known to the Fire Chief; and

WHEREAS, the District, from time to time, has the need to sell, surplus, or otherwise, dispose of certain personal property with a value of less than \$5,000 ("such property");

WHEREAS, the Board of Directors ("the Board") has adopted District Public Contracting Rule E-16 and has determined that the Fire Chief has the authority and the knowledge to decide whether such property is no longer needed for District purposes and should be surplus, sold, or otherwise disposed of; and

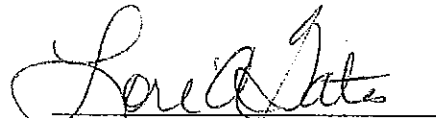
WHEREAS, granting this authority to the Fire Chief will promote the public interest in a manner that could not be reasonably accomplished by a competitive solicitation process and will result in a cost savings to the District or will yield a higher net return than following a competitive bidding process;

THEREFORE BE IT RESOLVED:

1. That the Fire Chief may surplus, sell, or otherwise dispose of District personal property with a value less than \$5,000. Without receiving direction or consent from the Board of the Directors of the District; and
2. That the Fire Chief shall make a report to the Board regarding any surplus, selling, or disposal of such property and that this report shall list the methods used to surplus, sell, or dispose of the property, the estimated value of the property, and the selling price, if applicable; and
3. That the Fire Chief shall properly document, with a Bill of Sale or otherwise, the surplus, sale, or disposal and that any transfer of such property will be transferred, "as is"; and
4. That the Fire Chief, in exercising his authority under this resolution, will act in the best interests of the District and in compliance with the state ethics laws; and
5. That the Fire Chief is authorized to sign all documents to transfer ownership of the property described in this resolution.

PASSED AND ADOPTED this 19th day of January, 2011.


Steve Olienyk, Board President


Lori Gates, Secretary

SVFR

Monthly Incidents

Alarm Date Between {12/01/2010} And {12/31/2010}

| Incident | Type | Date | Location | Description |
|--------------|------|------------|---------------------------------|------------------------------|
| 10-0000359-0 | FIRE | 12/04/2010 | 1ST ST & MAPLE ST | 510 Person in distress, |
| 10-0000360-0 | FIRE | 12/09/2010 | 4 EDEN LA | 6116 Dispatched & cancelled |
| 10-0000361-0 | FIRE | 12/11/2010 | 18TH ST & Highway 101 | 412 Gas leak (natural gas or |
| 10-0000362-0 | FIRE | 12/16/2010 | 05668 LINDA WAY | 311 Medical assist, assist |
| 10-0000363-0 | FIRE | 12/19/2010 | Ocean Dunes golf course | 311 Medical assist, assist |
| 10-0000364-0 | FIRE | 12/19/2010 | 1715 PINE ST | 311 Medical assist, assist |
| 10-0000365-0 | FIRE | 12/19/2010 | Alder Dune Campground, Space 26 | 137 Camper or recreational |
| 10-0000366-0 | FIRE | 12/20/2010 | 3265 MUNSEL CREEK DR | 1141 Wood or pellet stove, |
| 10-0000367-0 | FIRE | 12/22/2010 | Highway 126 & QUINCE ST | 322 Motor vehicle accident |
| 10-0000368-0 | FIRE | 12/24/2010 | 4701 Highway 101 | 412 Gas leak (natural gas or |
| 10-0000369-0 | FIRE | 12/24/2010 | 24TH ST & WILLOW LOOP | 6116 Dispatched & cancelled |
| 10-0000370-0 | FIRE | 12/26/2010 | 2361 N 22ND CT | 561 Unauthorized burning |
| 10-0000371-0 | FIRE | 12/27/2010 | 3250 REDWOOD ST | 5313 Smoke or odor |
| 10-0000372-0 | FIRE | 12/27/2010 | 1039 MAPLE ST /APT 2 | 622 No Incident found on |
| 10-0000373-0 | FIRE | 12/28/2010 | MP 19 Highway 126 | 6115 Dispatched & cancelled |
| 10-0000374-0 | FIRE | 12/30/2010 | 412 HEMLOCK ST | 311 Medical assist, assist |

EMS Incident Cnt: 0

Fire Incident Cnt: 16

Total Incident Count 16

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Department Journal

12/01/2010 to 12/31/2010

00:00 to 24:00

Training Classes

| Time | Type | Record Id | Description/Location | Staff Hrs |
|------------------------|-------|-----------|--|-----------|
| Sat Dec 4, 2010 | | | | |
| 08:00 | TRAIN | | Entry Level Firefighter Academy Central Station | 176.00 |
| Sun Dec 5, 2010 | | | | |
| 08:00 | TRAIN | | Entry Level Firefighter Academy | 192.00 |
| Mon Dec 6, 2010 | | | | |
| 17:30 | TRAIN | | Entry Level Firefighter Academy | 90.00 |
| Tue Dec 7, 2010 | | | | |
| 09:00 | TRAIN | | M & I | 10.00 |
| 17:00 | TRAIN | | M & I | 73.00 |
| 17:30 | TRAIN | | Entry Level Firefighter Academy | 67.50 |
| Wed Dec 8, 2010 | | | | |
| 17:30 | TRAIN | | Entry Level Firefighter Academy | 103.50 |
| Thu Dec 9, 2010 | | | | |
| 17:30 | TRAIN | | Entry Level Firefighter Academy | 94.50 |

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Department Journal

12/01/2010 to 12/31/2010

00:00 to 24:00

Training Classes

| Time | Type | Record Id | Description/Location | Staff Hrs |
|-------------------------|-------|-----------|---|-----------|
| Fri Dec 10, 2010 | | | | |
| 08:00 | TRAIN | | Entry Level Firefighter Academy | 168.00 |
| Sat Dec 11, 2010 | | | | |
| 08:00 | TRAIN | | Entry Level Firefighter Academy | 168.00 |
| Sun Dec 12, 2010 | | | | |
| 08:00 | TRAIN | | Entry Level Firefighter Academy | 176.00 |
| Tu Dec 14, 2010 | | | | |
| 09:00 | TRAIN | | Burn to Learn Preparation Property in the City | 8.00 |
| 19:00 | TRAIN | | SCBA/Forcible Entry | 107.00 |
| Tue Dec 21, 2010 | | | | |
| 17:00 | TRAIN | | SCBA/Ventilation/Forcible Entry Property in the City | 79.00 |
| Wed Dec 22, 2010 | | | | |
| 17:30 | TRAIN | | Burn to Learn Property in the City | 62.00 |
| Total Entries: | | 15 | Total Staff Hrs: 1,574.50 | |



John Buchanan <johnbuchanan9121@gmail.com>

domestic registry

1 message

Ross Williamson <ross@speerhoyt.com>

Fri, Dec 17, 2010 at 1:55 PM

To: John Buchanan <chief@svfr.org>

Chief:

You have a paid employee that recently requested that his live-in girlfriend be added to his District health insurance. As I understand it, the employee and girlfriend are "domestic partners", registered under the City of Eugene domestic registry program. The employee claims that as a registered domestic partner, the District should allow him to add his girlfriend (domestic partner) to his health insurance as would be allowed for a spouse.

Effective January 1, 2008, the Oregon Legislature established that same-sex domestic partners have essentially the same rights under state law as spouses. Subsequently, the Oregon Insurance Division interpreted this law to mandate coverage for Oregon registered domestic partners in insurance contracts.

However, an Oregon registered domestic partner is different than the City of Eugene domestic partner registry. Under the statewide system, only same-sex couples can register as domestic partners. Under the Eugene registry, both same-sex and opposite-sex couples can register.

Here, it sounds like your employee is in an opposite-sex relationship. As a result, they would not be eligible for the statewide registry. As well, they would not be included within the Oregon Insurance Division's interpretation requiring insurance contracts to allow domestic partners the same benefits as spouses.

However, this does not mean that your particular health insurance company/plan does not already allow other domestic partners (such as those registered in Eugene) to opt-in for coverage. I recommend you check with your insurance carrier and see if they allow opposite-sex domestic partners coverage. It may already be allowed under your current plan. When asking the question with your insurer, make sure to clarify that the employee is in an opposite-sex relationship registered under the City of Eugene registry and not registered under the state registry for same-sex couples.

From the facts as set out above, unless your current employee policies provide differently, there would be no requirement that the District provide health insurance to your employee that is registered under the City of Eugene domestic partner registry and not registered under the State of Oregon domestic partner registry. If there is no cost to the District, and the District's plan allows this type of coverage, then there is no harm in allowing it. But, if there is a cost to the District, and there is no provision in your current employee policies for providing opposite-sex domestic partner benefits, then I would say there is no requirement that you provide the coverage.

12/20/2010

Gmail - domestic registry

Let me know if I have any of the facts wrong, as it may impact the analysis. Also, please let me know if you have any questions on this.

Ross

Ross M. Williamson

Local Government Law Group P.C.

A Member of Speer Hoyt LLC

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Fax: (541) 485-5168

E-Mail: ross@speerhoyt.com

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Domestic Partnership Resource Guide

[\(Download the printer-friendly PDF version.\)](#)

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[Introduction to Domestic Partnerships](#)

[Next Steps for Basic Rights Oregon](#)

[Know before you go](#)

[The Registration Process](#)

[A note on name changes](#)

[Frequently Asked Questions](#)

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Introduction to Domestic Partnerships

A Domestic Partnership may be established by two individuals of the same sex who are at least 18 years of age, at least one of whom is an Oregon resident, and who are otherwise legally capable of consenting.

Establishing a Domestic Partnership affords same-sex couples all of the rights and responsibilities that are granted under state law through a marriage contract.

These important rights and responsibilities include:

- Hospital visitation rights and medical decision-making for partners;
- Automatic parentage of non-biological parents for children born after the Domestic Partnership is established;
- Significant legal and financial obligations to each other;
- And dissolution provisions similar to legal divorce.

Domestic Partnerships are prohibited and void if:

- Either party has a different legally-recognized spouse*; or
- The parties are first cousins or any nearer kin.

An Oregon court may declare a Domestic Partnership void if:

- A judge finds either party was not of legal age (18); or
- Was incapable of consenting due to insufficient understanding; or
- Consent was obtained by force or fraud.

**Please see FAQ for what this means for couples with legally-recognized relationships from another state or country.*

Know Before You Go ([Back to top](#))

- Entering into a domestic partnership could alter wills and other legal contracts you may have. Consult an attorney if you have concerns about this.
- Committed couples who choose to enter into a domestic partnership in Oregon are taking on very serious legal rights and responsibilities. The dissolution of a domestic partnership is similar to a divorce and is overseen by Oregon courts – even if one or both partners no longer resides here!

Next Steps for Basic Rights Oregon ([Back to top](#))

Although we managed to successfully defeat our opposition in court and get the implementation of Oregon's Domestic Partnership Law back on track, as we know from past experiences this battle is far from over. Our opposition have two avenues available to them to reverse this win; they can take their legal case to the Ninth Circuit Court of Appeals or they can file initiative petitions to repeal the domestic partnership law AND the non-discrimination law...or they can do both, and that's what they have vowed to do.

We certainly have a lot to celebrate, but we cannot let our victories foster complacency. Now Oregon is a fairer and more equal state, but we Oregonians know how quickly the weather can change.

We must remain vigilant and protect our new laws, and to do that, we need YOUR help! To get involved, call us at 503/222.6151 or visit www.basicrights.org for more details. Your time and efforts are invaluable, whether it be phone-banking, doing office work, hosting a house party, or simply making a contribution.

Remember, we've done our work to make domestic partnerships and statewide-anti discrimination a reality. Now let's do our work to keep them that way!

The Registration Process ([Back to top](#))

The first day you can register your Domestic Partnership is February 4, 2008. Oregon's Domestic Partnership registry is managed in each county by the County Clerk's office. This office is located in the county seat, and this is where you and your partner can file the necessary paperwork to become domestic partners. In order to register your Domestic Partnership, you will need:

- A Driver's License or other state-issued ID with your photo, date of birth, physical description, and signature. For more information, go to: [click here for a complete list of Notaries Public in Oregon](#) ,
- Bring the notarized form back to the clerk's office and pay your cash fee. You may need to show your ID again as proof of age.
- The clerk will then sign your Declaration of Domestic Partnership form, making it legally valid, and voila, you and your partner are domestically partnered!
- You will then receive a decorative, commemorative Certificate of Registered Domestic Partnership either in person or in the mail. This is NOT a legal document.
- We recommend that couples purchase a certified copy of their Declaration of Domestic Partnership from their county clerk (the fees vary from county to county but typically are less than \$10). The certified copy will assist you with benefits claims and name change.

A Note on Name Changes: To modify your surname(s), obtain a certified copy of the Declaration of Domestic Partnership from your county clerk. This copy is usually sent by mail. Then, take your certified copy to the Department of Motor Vehicles to change your Oregon Driver's License. The certified copy of your Declaration of Domestic Partnership is a legal document.

Frequently Asked Questions ([Back to top](#))

If my partner and I have participated in a local Domestic Partnership registry (Portland/Multnomah County, Eugene or Ashland), must we re-register?

YES – couples participating in a local Domestic Partnership registry should plan to re-register under the new Domestic Partnership law , provided they wish to assume more expansive legal rights and responsibilities. The existing local registries are symbolic in nature and confer no legal rights, whereas the Oregon Family Fairness Act significantly changes the legal status of Domestic Partners, giving them all of the rights and responsibilities currently available to married couples.

If my partner and I entered into a Domestic Partnership (as is available in California) or a Civil Union (as is available in Vermont), can we get an Oregon Domestic Partnership?

YES—a couple who entered into a civil union or domestic partnership in another state can and should file a Declaration of Domestic Partnership under Oregon law.

My partner and I were married in Massachusetts, Canada or another country. Would we need to dissolve our previous marriage in order to file a Domestic Partnership in Oregon?

NO—a couple who married in Massachusetts, Canada, or another country does not have to dissolve their previous marriage. They can and should file a Declaration of Domestic Partnership under Oregon law.

If my Domestic Partner and I travel or move to another state that recognizes same-sex relationships, will our Oregon Domestic Partnership be valid there?

PROBABLY NOT. A prudent legal approach would be to assume that another state would not recognize an Oregon Domestic Partnership. An emergency situation like the illness or injury of a partner or child would be a bad time to try to sort out the legal complexities of interstate law. Couples in this situation are strongly encouraged to consult an attorney.

Will Oregon recognize Domestic Partnerships or Civil Unions of other states?

Legal opinions vary on whether the Family Fairness Act authorizes Oregon to recognize the rights and responsibilities conferred on same-sex couples by other jurisdictions. While Oregon is prohibited from recognizing same-sex marriages due to Constitutional Amendment 36, the state MAY be able to extend the rights and responsibilities of an Oregon Domestic Partnership to a same-sex couple who obtained legal recognition in another state via Domestic Partnership or Civil Union. The language of HB 2007 does not explicitly address this situation; the safest route for a couple seeking a legally-recognized relationship in this state would be to register for an Oregon Domestic Partnership.

Will my employer be required to start providing health care to my partner, like they do for married spouses?

HB 2007 provides no clear answer. A 1998 court case required public (government agency) employers to extend health care benefits to same-sex partners. It is unclear whether private employers are obligated to extend health benefits to same-sex domestic partners. Although we believe there are strong legal arguments that would support such an obligation, some private employers may deny health benefits asserting the denial is permitted under federal law. This question likely will be resolved by the courts.

For now, you can check the language in your employer's policy and health plan documents to determine if the policy or plan already extends benefits to opposite-sex domestic partners. Ask your company benefits administrator whether, given the new laws, the company intends to provide same-sex partner benefits as of February 4, 2008.

Please note that this information is for educational purposes only and is not legal advice. Please consult your attorney regarding your specific situation. [Click to see your County Clerk information](#), or [download the Domestic Partnership Resource Guide PDF](#).

« [Domestic Partnership Resource Guide – County Clerk Information](#)
[Submission accepted](#) »

We certainly have a lot to celebrate, but we cannot let our victories foster complacency. Now Oregon is a fairer and more equal state, but we Oregonians know how quickly the weather can change.

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